

COURT MAY LAY DOWN NEW RULE

Employers' Liability Law Comes Up for Interpretation in Case for Damages.

Washington, D. C., April 24.—One of the cases scheduled to be heard by the Supreme Court of the United States before arguments are suspended on Friday until next October is one involving the much-mooted question of the extent of the liability of railroad employers under the Federal Employers' Liability Act. The case is not made with the calendar, the case will be postponed automatically until the next term.

The case is that of Spencer Melton, a carpenter, employed by the Louisville and Nashville Railroad Company, for damages for personal injuries, suffered while he was assisting in constructing a coal trestle for the railroad along the tracks in Indiana. Melton brought suit in the court of Kentucky, his home, and recovered a judgment for \$22,000. From this judgment the railroad appealed to the Supreme Court of the United States.

The railroad seeks to raise the question as to whether an employer's liability is limited in its application to railroad corporations alone, extends its protection to all employees of the railroad or only to those subjected to the peculiar hazards of the railroad.

It claims that the Indiana employers' liability law is unconstitutional unless interpreted so as to limit its liability to the latter class of employees.

James W. Clay, as counsel for Melton, in his brief to the court, seeks to show the court that the Indiana law, as interpreted, is unconstitutional, subjecting him to greater hazards than would be the case were he employed by others.

It is pointed out in the briefs that the courts of Indiana, Iowa, Minnesota, Kansas, Mississippi, Georgia, Texas and North Carolina have been called upon to pass on the extent of the application of employers' liability acts. It is regarded as possible that the Supreme Court may lay down a rule in this case, which will affect the enforcement of such laws in all the States.

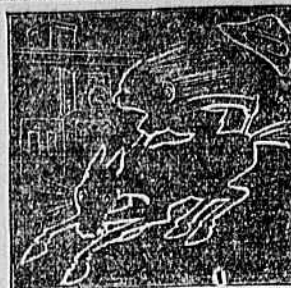
TRIAL STARTS TO-DAY

Augustus Heinze Will Finally Face Jury.

New York, April 24.—After a long series of demurrers, repleadings and other legal red tape, E. Augustus Heinze will be placed on trial to-morrow in the criminal branch of the United States Circuit Court. He is charged with violations of the national banking laws, specifically with over-certification of the checks of Otto Heinze and Company, and misappropriation of the funds of the Mercantile National Bank, of which he was the former head.

Counsel for Charles W. Morse, in the fight for a new trial, made capital of the fact that Morse's jury was guarded by special agents from Washington. To avoid criticism, this procedure, it is understood, will not be followed in the Heinze case. Two weeks probably will be taken up by the trial.

N. & W. Awards Contract.
[Special to The Times-Dispatch.]
Roanoke, Va., April 24.—The Norfolk and Western Railway has awarded a contract to the Vaughn Construction Company, of Roanoke, for building a street under the railroad tracks on Lynchburg Avenue, in northeast Roanoke. The price is \$40,000.



April 18th—Paul Reverend's Ride. The flight of the country to-day is not with a foreign enemy, but with political graft.

Here's a store where all customers have an equal pull. No discounts to any one, the same advantages to all and your money returned if the goods deceive you.

ON BERRY & CO.
MEN'S BOYS' SUITERS

MEXICO CLAIMS PART OF EL PASO

Washington, D. C., April 24.—The State Department is awaiting with much interest the appointment of a Mexican minister for foreign affairs to succeed the late Minister Ignacio Mariscal. The submission by this government of a plan for the settlement of the celebrated Chamizal zone case, which involves the question of whether a portion of the city of El Paso, Tex., does not under the boundary treaty with Mexico, belong to that country was under consideration by Minister Mariscal at the time of his death. Officials here are not willing to discuss in any way the suggestions made to Mexico for the settlement of this case, but inasmuch as the United States is the leading exponent among the nations of the doctrine of arbitration for the settlement of international differences it is not unlikely that the proposition made to Mexico may involve the reference of this case to some eminent jurist or statesman of a neutral power for definite settlement. In any event, it is not believed that the United States would consent except as the possible result of a decision of arbitration to the conveyance to Mexico of the land in dispute.

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AMERICAN ART IN VENICE

Many Pictures Shown at the International Art Exhibition.

Venice, April 24.—The works of American artists attracted much attention at the opening of the International Art Exhibition. Among the number are two each by John Singer Sargent, Eugene Vail and A. Coonan, and one each by Joseph Pennell. The Duke of the Abruzzi, who was present at the opening, expressed especial admiration of the American exhibits, and upon being introduced to Mr. Pennell congratulated him warmly. Others who attended the opening were Marquis A. di San Giuliano, Minister of Public Instruction; the British and Russian ambassadors and the Mayor of Venice.

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MOTHER'S FRIEND

A LINIMENT FOR EXTERNAL USE.

Cheerfulness and a bright disposition during the months before baby comes, are among the greatest blessings a mother can bestow upon the little life about to begin. Her happiness and physical comfort will largely govern the proper development of the health and nature of the child. Mother's Friend contributes much to the mother's happiness and health by the relief and mental comfort it affords. It is a liniment composed of penetrating oils and medicines which lubricate the muscles and tendons of the body, soothe the swollen mammary glands, cause a gradual expansion of the skin and tissues, and aid in the relief of nausea. The regular use of Mother's Friend greatly lessens the pain and danger when baby comes, and assures a quick and natural recovery for the mother. Mother's Friend is sold at drug stores. Write for our free book, containing valuable information for expectant Mothers.

THE BRADFORD CO., ATLANTA, GA.

VIRGINIA ENDURANCE RUN

(Cut out, fill in and send to Automobile Editor, Times-Dispatch.)

OFFICIAL ENTRY BLANK.

Virginia Endurance Contest conducted by The Times-Dispatch, of Richmond, Va., May 5, 6, 7, under the rules and with the sanction of the contest board of the American Automobile Association (approved by the Manufacturers' Contest Association).

To The Times-Dispatch, Richmond, Va.

Event, Virginia Endurance Run. Class A. Division.

Name of Car.

Manufactured by.

Manufacturer's Model and Year.

Manufacturer's No. of Motor.

Manufacturer's No. of Chassis.

Minimum Weight.

Motive Power.

Bore. Stroke. Number of Cylinders.

Total Piston Displacement. Cubic Inches.

Passenger Capacity, style of car and body.

Name of Owner.

Address.

Name of Driver.

Name of Observer.

The attention of entrants is especially called to Rule No. 75 of the Contest Rules of the American Automobile Association regarding advertising, and any infraction of said rule shall be reported by the referee to the Contest Board.

A description of the prizes and awards to be given in this contest are incorporated as a part of this entry blank.

We hereby agree to furnish any other data regarding the car above entered that may be required by the promoter of Technical Committee.

We make this entry subject to all the rules of the Contest Board of the American Automobile Association and hereby accept all stipulations and conditions therein contained.

Signature of Entrant.

P. O. Address.

Entries close April 30, 1910.

A separate blank must be used for each car entered.

MINIATURE ALMANAC.

Sun rises. 5:24. Moon rises. 7:47.

Sun sets. 6:53. Moon sets. 10:40.

High tide. 1:10. Low tide. 6:10.

April 25, 1910. Monday. Evening. 7:47.

ATLANTA ARGUSED BY DOUBLE CRIME

(Continued from First Page.)

than 1,000 men and boys were sweeping through the section of the town occupied by negroes, clubbing and stoning every black head that appeared.

The officers of the law protested, were brushed aside and literally run over by the crowd. For several hours the main mob maintained its strength of about 1,000 or more men, and that time every section of the city was raided by a mob of tooth and nail. The latter feeling in every direction. The very bulk of the mob was a factor in favor of the negroes, as pursuit was hampered by numbers, not more than a dozen of the feeling blacks being overtaken. About 9 o'clock to-night, when not a negro remained in town, the mob dispersed, and at this hour here it is believed there will be no further trouble.

The price, the terms, the instrument—all will be perfectly satisfactory. We guarantee the INNER-PLAYER Piano for five years, which insures against any possible defect.

Demonstrations every day.

Cable Piano Co.

"Headquarters Everything Musical."

BLUES STILL WORKING

Though Lacking Funds They Are Going Ahead for Big Celebration in May.

Though there is still lack of funds for the proper and expected entertainment of their visitors, the Richmond Blues are going ahead with their preparations for the military companies which are to aid in the dedication of the new armory on May 9 and 10.

Assurances have been received from the Ancient and Honorable Artillery of Boston and the Hartford and New Haven companies of the Governor's Food Guard of Connecticut, and the Four of the five are from Burke county, all of whom were sentenced for discharging.

The most important case of the court was that of Carpenter, Baggett & Co., cotton commission merchants and brokers in New York, against John P. Love, of Gastonia, N. C., and was decided in favor of the plaintiffs. The suit against Love was for \$4,735, with interest at 6 per cent, from January 12, 1906. The suit had been in on account of transactions in cotton futures which Love had made with Carpenter, Baggett & Co. According to the complaint Love made money at first in his dealings with the firm, but later got in debt to the brokers. When they urged payment Love resisted on the ground that the transaction was gambling, and a gambling debt is not collectible by law. Plaintiffs recovered the full amount, and the costs of the case were taxed against Love.

Several Courts-Martial MAY BE TERMINATED

Washington, D. C., April 24.—Several courts-martial and courts of inquiry which have been drifting along for weeks are expected to be terminated this week. Most notable among them is the inquiry into the differences between General Elliott and Colonel Lauchheimer, of the Marine Corps. This proceeding had gone far beyond the scope originally assigned to it, and it now appears that it will involve the succession to the command of the Marine Corps that will result from the retirement of General Elliott next fall. Some of the developments during the investigation are believed to have seriously affected the chances of officers who had been regarded as in favorable position for selection.

Next Thursday the same three retired admirals who have been working so hard on the Lauchheimer case will turn their attention to the charges that have been made against Commander Frank K. Hill that he maintained his ship, the Marietta, in a dirty condition. It is understood the officer is fully prepared to acquit himself of responsibility for the condition of his ship.

WILL EXPEL FEWER JEWS

Premier Stolypin Holds Up Order Pending Further Inquiry.

St. Petersburg, April 24.—The government order for the wholesale expulsion of Jews residing illegally in Kiev and elsewhere outside the pale, which was to have taken effect on April 28, has been suspended by Premier Stolypin, to permit a further examination of the commissions are being formed to revise the lists of those marked for expulsion, with the expected result that a large proportion of the latter will be allowed to remain where they now reside. The order of expulsion was issued as a result of an agitation which began in the Duma. In Kiev alone 2,700 Jews are affected by the order.

Circus Girl Found Dead.

Washington, April 24.—The body of Mary Jenkins, a young girl who joined a circus and was en route through Florida recently, and who was found asphyxiated in her room here to-day, will be sent back to relatives in Florida in accordance with instructions received by the police. The show with which the girl was traveling arrived here last night. This morning the girl was dead.

THE WEATHER

Forecast: Virginia—Showers Monday cooler, except in extreme North portion. Tuesday, partly cloudy; moderate, variable winds.

North Carolina—Showers and cooler Monday; Tuesday, fair; slightly unfavorable; moderate west to northwest winds.

CONDITIONS YESTERDAY.

Rain. Thermometer at midnight, 60.

CONDITIONS IN IMPORTANT CITIES.

Place. Ther. H. T. Weather.

Buffalo. 38. 54. Rain.

Pittsburgh. 42. 42. Rain.

Cincinnati. 46. 48. P. cloudy.

Yellowstone. 66. 70. Clear.

Charlotte. 62. 64. Clear.

Washington. 60. 66. Rain.

Memphis. 34. 42. Cloudy.

Kansas City. 66. 70. Rain.

Asheville. 46. 56. P. cloudy.

Savannah. 62. 68. Clear.

Jacksonville. 72. 76. Clear.

Jupiter. 72. 82. Clear.

Tampa. 64. 72. Rain.

Key West. 74. 78. Clear.

Charleston. 62. 70. Clear.

Mobile. 54. 70. Clear.

Atlanta. 52. 56. Cloudy.

New Orleans. 62. 70. Clear.

Baltimore. 58. 60. Rain.

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Cable Ad. Monday, April 25.

It Won't Cost You Much

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INNER-PLAYER

TRADE MARK
PIANO

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SENATE AND HOUSE ARE RUNNING RACE

(Continued from First Page.)

Appropriate action in memory of the late Associate Justice Brewer will be taken by the bar of the Supreme Court on Saturday.

Gossip continues unabated about the President's selection of a successor to Justice Brewer, but nobody, not even the President himself, pretends to know who at last will be found in the seat of the venerable Kansas jurist.

There is little doubt that the place in the way of another has been virtually offered to Governor Charles E. Hughes, of New York. There are few here who believe that the Governor will accept the position.

Postmaster-General Hitchcock has before him an order, and is expected to sign it this week, returning to the general fund of the Treasury Department \$4,000,000 of the deficiency fund appropriated to the Post-Office Department for the current fiscal year.

Hitchcock has declared his belief that the deficit on June 30 will not exceed \$5,000,000, against \$17,000,000 last year. Haring some unexpected expenditures during the next two months, he hopes to turn back several millions more.

Attorney-General Wickersham is expected to determine this week whether he will proceed against the alleged butter combine, which is charged with arbitrarily fixing the price of the product, or whether he will direct further inquiry to be made.

Special Attorney C. E. Harrison has just returned from the West with an armful of data on the subject, which will serve to assist in this determination.

WENTZ INTERESTS SECURE CONTROL

[Special to The Times-Dispatch.]

Bristol, Va., April 24.—While no member of the Wentz syndicate was seen here to-day to confirm the rumor that the Wentz interests have secured control of the Roanoke Consolidated Coke interests in Lee county, men in a position to know about such matters say that such a deal, involving millions of dollars, was consummated a month ago.

The purchase of the Lee county interests gives the Wentz syndicate control of the most important coke section in Virginia aside from the Clinchfield properties, and makes that syndicate master of the properties of one of the most important coke regions in the South. The fact that the Southern Railway has just made connection with those coal fields on a direct north and south line adds materially to the importance of the deal.

There are now about 6,000 coke ovens in Wise and Lee counties, 90 per cent of which are in operation.

OBITUARY

Funeral of Jackson Guy.

The funeral of Jackson Guy, who died suddenly Saturday night at St. Luke's Hospital, where he went to visit his niece, who is under treatment there, will take place this afternoon at 4:30 o'clock from the Second Presbyterian Church.

Following are the pall-bearers: Active—Preston Cooke, B. Randolph Welford, Henry Taylor, Jr., E. T. Crump, C. E. Jordan, Louis McK. Judkin, O. J. Sands and J. Jordan Leake. Honorary—Judge James Keith, Judge John H. Ingram, Judge George L. Christian, Judge Beverly T. Crump.

Mr. Guy was married in 1883 to Miss Susan M. Hemphill, of Chester, S. C., a sister of Congressman John J. Hemphill, of that State, and of Rev. Charles H. Hemphill, D. D., of Louisville Presbyterian Theological Seminary, and a cousin of Major J. C. Hemphill, editor of The Times-Dispatch. He is survived by his wife, one sister, Mrs. William A. Davis, of James City county, and a half sister, Mrs. D. G. Holman, of Powhatan county, besides several nieces and nephews.

Mr. Guy's tastes and talents led him largely into the chancery side of the legal profession, and he was regarded as one of the ablest chancery lawyers at this bar. As master commissioner of the two equity courts of this city for a number of years, he decided many of the most important cases arising here. He was active in the organization of the Virginia State Bar Association, and for years held the office of secretary-treasurer. He took deep interest in public affairs, at one time being chairman of the City Democratic Committee, and also a member of the City Council.

James E. White.

[Special to The Times-Dispatch.]